

REMARKS

Claims 1-6 and 21 are currently pending in the subject application and are presently under consideration. Claims 1, 4, 5 and 21 have been amended herein at pages 2-4. Claims 4 and 5 are amended to correct minor informalities and claims 1 and 21 are amended to further emphasize various novel aspects of the subject invention. Claims 22-34 have been added herein. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-6, and 21 Under 35 U.S.C. §102(b)

Claims 1-6, and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Barkan *et al.* (U.S. 5,198,651). Applicants' representative respectfully submits that this rejection should be withdrawn for at least the following reasons. Barkan *et al.* fails to teach or suggest each and every element of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegual Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The subject invention relates to an apparatus and method for insert-molding various electronic and mechanical parts as part of a housing of an electrical device. (See pg. 3, ll. 27-30). In particular, independent claim 1 as amended (and similarly amended independent claim 21) recites a mobile terminal, comprising a plastic housing, a bar code reader, and a component *insert-molded as part of the plastic housing such that at least a portion of the component is embedded within the plastic of the plastic housing*. Barkan *et al.* does not teach or suggest the novel aspects of the invention recited in the subject claims.

Barkan *et al.* relates to a laser scanning device that projects a laser beam against a target having information contained thereon which is to be scanned by the laser beam. The device is a compact bar code reader that has an internal unitary structure with a scanning motor, which supports modularly installing various laser and optical

10/643,4411564

components that can be utilized in connection with the device. (See Abstract). Thus, these components are employed via the device in a modular form. (See col. 2, 11. 58-63).

The subject Office Action incorrectly contends that Barkan *et al.* discloses a mobile terminal comprising: a plastic housing, a bar code reader, a component insert-molded (insert and/or molded) as part of the housing. (See Office Action dated March 28, 2005, pg. 3). Applicants' representative respectfully disagrees with such contentions. In particular, insert-molded does not refer to an insert and/or molded component as argued in the Office Action. Rather, an insert-molded component, as recited in amended independent claim 1 (and similarly amended independent claim 21), is a component that has at least a portion which is *embedded within the plastic of the plastic housing*. Thus, an insert-molded component is a component at least partially embedded in the plastic of the plastic housing and is not an insert and/or molded component as disclosed in Barkan *et al.* Since Barkan *et al.* discloses a compact bar code reader that can be introduced *in a modular form into the housing of a laser scanning device*, it does not teach or suggest a component *insert-molded as part of the plastic housing such that at least a portion of the component is embedded within the plastic of the plastic housing* as recited in amended independent claim 1 (and similarly in amended independent claim 21).

In view of at least the foregoing, it is readily apparent that Barkan *et al.* does not teach or suggest the applicants' invention as recited in claims 1-6 and 21, and the rejection of these claims should be withdrawn.

10/643,4411564**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Hirmanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731